

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

WEST TELEMARKETING, LP,)	
A Delaware Limited Partnership,)	
)	
Plaintiff,)	8:05CV518
)	
vs.)	ORDER
)	
APAC CUSTOMER SERVICES, INC.,)	
)	
Defendant.)	

This matter is before the court on the parties' Stipulation (Filing No. 25). The parties seek an order adopting their stipulation that APAC's Motion to Dismiss or, in the Alternative, to Transfer (Filing No. 9) applies to the newly filed amended complaint (Filing No. 24). Upon consideration,

IT IS ORDERED:

The parties' Stipulation (Filing No. 25) is adopted. APAC's Motion to Dismiss or, in the Alternative, to Transfer (Filing No. 9) is accepted by the court as the defendant's response to the amended complaint (Filing No. 24) and no further briefing is necessary nor required to decide the defendant's motion to dismiss.

DATED this 10th day of February, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge